



House Bill 308
Opponent Testimony
11/18/2020

Chairman Schuring,

On behalf of the Ohio Trucking Association (OTA) I write you today to express our opposition to HB 308, which would grant workers' compensation coverage to first responders diagnosed with post-traumatic stress disorder (PTSD) without an accompanying physical injury.

For years, Ohio has required an employee to have an accompanying physical injury before coverage is granted for any mental conditions. HB 308 removes this physical injury requirement and would make peace officers, firefighters, and emergency personnel eligible for benefits if they are diagnosed with PTSD. Allowing workers' compensation coverage for so called "mental-mental" cases marks a significant shift from current practice. Furthermore, eliminating the physical injury requirement for first responders may ultimately be expanded to other professionals who seek equal treatment.

While well intentioned, this good deed is one court case away from having uncontrollable long-term impacts. As an example, if there is a traffic accident where the first responder gets workers' compensation coverage from the PTSD they suffered from assisting, why wouldn't the truck driver who was first on the scene or the traveling sales person who provides aid? Why is it covered for one group of employees and not another? That is the question that a court will decide, or the legislature will be asked to decide soon after this passes.

We would urge the legislature to look at other options to provide PTSD coverage outside Ohio's current workers' compensation system. Such options could be pursued without threatening the foundation of Ohio's workers' compensation system and opening the potential of expanding mental-mental claims to all employees, not just first responders.

Allowing mental-mental claims has the possibility to greatly expand the number of workers' compensation claims being filed and could pose significant costs for both public and private employers. These costs could cripple public and private sector employers, thus hindering or completely eliminating necessary public safety functions. For these reasons, we oppose the legislation.

Thank you for considering my comments today.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Balzer", written over a horizontal line.

Thomas A. Balzer, CAE
President and CEO
Ohio Trucking Association

655 Cooper Rd.
Westerville, OH 43081
614-221-5375
www.ohiotrucking.org